

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

RONALD FRAZIER,)	
)	
Petitioner,)	
vs.)	NO. CIV-08-0496-HE
)	
FRED FIGUEROA,)	
)	
Respondent.)	

ORDER

Petitioner Ronald Frazier, a Colorado state prisoner appearing *pro se*, instituted this action pursuant to 28 U.S.C. § 2241 seeking habeas relief.¹ Consistent with 28 U.S.C. § 636(b)(1)(B), the matter was referred for initial proceedings to Magistrate Judge Doyle W. Argo, who has recommended that the petition be dismissed.

The petitioner, having failed to object to the Report and Recommendation, waived his right to appellate review of the factual and legal issues it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996). *See* 28 U.S.C. §636(b)(1)(C); LCvR72.1. Accordingly, the court adopts Magistrate Judge Argo's Report and Recommendation and **DISMISSES** the petition for writ of habeas corpus.

IT IS SO ORDERED.

Dated this 5th day of January, 2009.



JOE HEATON
UNITED STATES DISTRICT JUDGE

¹As summarized by the magistrate judge, the "gravamen of [the petitioner's] argument is an attack on the legality of the execution of his Colorado sentence in Oklahoma at a private prison facility." *Report and Recommendation*, pp. 3-4.